

ORDINANCE NO. _____, SERIES 2007

AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL AND R-5 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 4802 OUTER LOOP, AND 7701, 7703, 7705 AND 7707 LAUREL RIDGE ROAD, CONTAINING 1.045 ACRES, AND BEING IN LOUISVILLE METRO (DOCKET NO. 9-48-06W) (AS AMENDED).

SPONSORED BY: COUNCILMAN TOM OWEN

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Commission and its staff as set out in the minutes and records of the Planning Commission in Docket No. 9-48-06W; and,

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Docket No. 9-48-06W and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records, with the amended and additional binding elements set forth below;

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: That the property located at 4802 Outer Loop, and 7701, 7703, 7705 and 7707 Laurel Ridge Road, containing 1.045 acres and being in Louisville Metro, more particularly described in the minutes and records of the Planning Commission in Docket No. 9-48-06W is hereby changed from R-4 Single Family Residential and R-5 Single-Family Residential to C-1 Commercial, provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Docket No. 9-48-06W, with the following amended binding element:

2. Use of the subject site shall be limited to a bank and other uses permitted in the C-1 zoning district, with the exception of those uses listed in binding element 17 below. There

shall be no other use of the property unless prior approval is obtained from the Planning Commission or its designee. Notice of a request to amend this binding element shall be given in accordance with the Planning Commission's policies and procedures. The Planning Commission ~~may~~ shall require a public hearing on the request to amend this binding element.

The following binding elements shall also be applicable to the development site:

17. The following C-1 uses shall not be permitted on the subject property:

- Automobile rental agencies with no more than 25 rental passenger vehicles stored on site, and no more than two service bays for cleaning and maintenance, and having no repair or storage/dispensing of fuel
- Automobile service stations with service bays for repair of no more than two vehicles (see definition of Automobile Service Station for the type of repairs permitted)
- Boarding and lodging houses
- Car washes having prior approval by the agency responsible for traffic engineering
- Clubs, private, non-profit or proprietary
- Community residences
- Convenience grocery stores
- Drug stores
- Establishments holding a retail malt beverage license, but that do not allow consumption on the premises
- Establishments holding a distilled spirits and wine package license, but holding no other ABC licenses that allow consumption on the premises
- Extended stay lodging

- Family care home (mini-home)
- Grocery stores, including fruit, meat, fish and vegetables
- Hardware and paint stores
- Health spas
- Hotels and Motels, including ancillary restaurants and lounges, enclosed in a structure, in which dancing and other entertainment (not including adult entertainment activities as defined in Section 4.4.1) may be provided
- Ice storage houses of not more than five ton capacity
- Laundries or laundrettes, self-service
- Laundering or dry cleaning pick-up shops and self-service laundries
- Medical laboratories
- Pawn shop
- Rental businesses offering items whose sale is a permitted use in this district, videocassette and similar products, rental and sales but not constituting an adult video cassette rental center
- Restaurants and tea rooms including: (1) Restaurants with drive-through windows having prior approval by the agency responsible for traffic engineering; (2) Restaurants, tea rooms and cafes where dancing and entertainment is excluded; (3) Restaurant with outdoor seating where entertainment is excluded and no alcoholic beverages are served or consumed outside which is adequately screened and buffered from adjacent residential development
- Temporary buildings, the uses of which are incidental to construction operations being conducted on the same or adjoining lot or tract, and which shall be removed upon completion or abandonment of such construction, or upon the

expiration of a period of two years from the time of erection of such temporary buildings, whichever is sooner

- Tents, air structures and other temporary structures intended for occupancy by commercial activities, including but not limited to sales, display, and food services, provided that applicable building and fire safety codes are met, and provided further that such structures may not be installed for a period (or periods totaling) more than ten days during a calendar year
- Variety stores

18. The applicant shall be responsible for maintaining the R-4 strip of land to the rear of the development site according to all property maintenance and other regulations of the Louisville Metro Government, including cutting the grass on a regular basis as is required under these regulations.

19. Dumpsters shall not be emptied between the hours of 9:00 pm and 8:00 am.

20. Operating hours shall be limited to 7:00 am to 7:00 pm, Monday through Saturday. This limitation shall not apply to the use of the ATM.

21. The dumpster enclosure shall be made of brick to match the design of the building façade.

Section II: This Ordinance shall take effect upon passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Council

Jerry Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

By: _____